

IN THE DRAWINGS:

The attached Replacement Sheet of drawings includes changes to Figs. 15A and 15B. This Replacement Sheet, which includes Figs. 14, 15A and 15B, replaces the original sheet including those Figures.

### REMARKS

This application has been reviewed in light of the Office Action dated September 3, 2008. Claims 1 and 13-15 are now pending in this application. Claims 2-12 have been canceled, without prejudice or disclaimer of subject matter. Claims 13-15 have been added to provide Applicants with a more complete scope of protection. Claim 1 has been amended to define still more clearly what Applicants regard as their invention, in terms that distinguish over the art of record. Claims 1 and 14 are in independent form. Favorable reconsideration is requested.

The drawing has been amended to address the drawing objection made in the Office Action, and corresponding (and other formal) changes have been made to the specification.

Claims 1-3 and 5-11 were rejected under 35 U.S.C. § 102 as being anticipated by Japanese Patent Application JP2003-290356 A (Canon Inc.), based on a machine translation obtained from the Japanese Patent Office. In addition, Claims 4 and 12 were rejected under 35 U.S.C. § 103 as being unpatentable over *Canon Inc.* in view of U.S. Patent 4,648,393 (Landis et al.).

Cancellation of Claims 2-12 renders the rejections of those claims moot.

Applicants submit that independent Claims 1 and 14, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

As explained in the specification, the present invention is directed to an

inhaler that is small and light enough that a user can carry it around all day and thus be able to use it conveniently whenever a dose needs to be taken, and which avoids problems encountered with conventional liquid supply techniques. In particular, the claims as now drafted are supported at least by the structure illustrated in Figs. 4A and 4B (Claims 1 and 14), and at page 13, lines 1-18 (Claims 13 and 15).<sup>1/</sup> In this regard Applicants note that the phrase language “liquid path” does not appear in the specification, but submit that it is self-evident from Figs. 4A and 4B that the communicating means 52 contains a liquid path for conducting the liquid medication from the accommodating portion 51 to the liquid discharge portion 32.

Independent Claim 1 is directed to a liquid medication cartridge that comprises an accommodating portion, for accommodating a liquid medication, a liquid discharge portion having a discharge port, for discharging the liquid medication by using an ink jet technique, and a communicating means, for establishing communication between the accommodating portion and the liquid discharge portion. According to Claim 1, the accommodating portion has a region which is cut off from the atmospheric air by a first film (53 in the illustrated embodiment) and a second film (54), that region accommodating the liquid medication (34). Also, the communicating means contains a liquid path for conducting the liquid medication from the accommodating portion to the liquid discharging portion and is formed as a unit with the liquid discharging portion, and the cartridge is constructed to operate such that the communication between the liquid discharging portion

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<sup>1/</sup> It is to be understood, of course, that the claim scope is not limited to the details of this or any other embodiment that may be referred to.

and the accommodating portion is established when the communicating means pierces the first film, then the liquid medication is filled in the liquid discharging portion when the communicating means further penetrates into the accommodating portion, and then the region is communicated with the atmosphere when the communicating means pierces the second film.

Neither *Canon Inc.* nor *Landis* is believed to teach or suggest the feature (A) that an accommodating portion has a region which is cut off from the atmosphere by a first film and a second film and accommodates a liquid medication, in particular the region holding the liquid medication between the first and second films; and the feature (B) that the liquid medication is filled in the liquid discharging portion when the communicating means further penetrates into the accommodating portion and then the region is placed into communication with the atmosphere when the communicating means pierces the second film.

By virtue of these features (A) and (B), in the structure recited in Claim 1, only one action of inserting the communicating means into the accommodating portion to have the former penetrate into the latter is needed for realizing three operational steps including (i) establishing communication between the discharge portion and the accommodating portion, (ii) filling the discharge portion with the liquid medication, and (iii) establishing communication between the accommodating portion and the atmosphere, which is necessary for inkjet discharging.

For at least this reason, Applicants submit that Claim 1 is allowable over *Canon Inc.* and *Landis*, taken separately or in any possible combination.

Independent Claim 14 is sufficiently similar to Claim 1 that it also is believed to be allowable for the reasons discussed above.

A review of the other art of record has failed to reveal anything that, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other claims in this application depend from one or the other of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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